

Remarks

Claims 1-5, 7, and 9-11 have been amended. Claims 13-20 have been added. Claims 1-20 are now pending in the case.

I. Claim Objection of Claim 9

Claim 9 has been objected. Claim 9 has been amended to obviate the objection.

II. Rejections under 35 U.S.C. 103

Claims 1-12, as originally filed, were rejected under 35 U.S.C. 103 based on Greenstein. These rejections are respectfully traversed.

Claim 1 has been amended to make minor corrections and specifies:

1. A method for performing a medical test associated with glaucoma comprising
displaying a plurality of visual stimuli for observation by one eye of a patient;
detecting the patient's evoked brain potential signals in response to said stimuli through one or more electrodes attached to the patient's scalp;
recording said evoked brain potential signals detected for each stimulus displayed;
performing an automatic digital signal processing for a plurality of said recorded evoked brain potential signals following the recording; and
displaying an indication of whether there is a high or low likelihood of glaucoma on a computer monitor based on said digital signal processing.

The present invention, in one or more embodiments provides for an automatic digital signal processing for a plurality of recorded evoked brain potential signals. (Present application, Fig. 4, pg. 10, last paragraph – pg. 11, first paragraph). A computer processor displays an indication of whether there is a high or low likelihood of glaucoma on a computer monitor based on the automatic digital signal processing. (Id.)

Greenstein does not disclose "automatic" digital signal processing as claimed. In addition,

as the examiner concedes, Greenstein does not expressly disclose providing an indication of a high or low likelihood of glaucoma based on signal processing. The applicant submits that a suggestion is required, and that Greenstein does not suggest providing such an indication. Greenstein teaches against providing such an indication by stating "The only significant difference between values for the control subjects and glaucoma suspects was for the positive luminance contrast condition at 15 Hz." (Greenstein, pg. 1906, column 2, end of first paragraph).

Claim 1 is submitted to be allowable.

Claim 2, of the present application, as amended, specifies that the visual stimulus "is comprised of two patterns, an isolated check pattern and a uniform field pattern, displayed alternately in a periodic manner at a frequency of about twelve Hertz." Greenstein indicated that there was no difference between values for control subjects and glaucoma suspects other than at 15 Hz. (Greenstein, pg. 1906, column 2, end of first paragraph). Claim 2 is submitted to be allowable.

Claim 3 is dependent on claim 1 and is submitted to be allowable for at least the same reasons. Claim 4 is dependent on claim 1 also. Claim 4, as amended, specifies an "automated procedure" wherein a computer processor controls both evoked brain potential signal recording and digital signal processing and that said computer processor initiates said processing immediately following recording. Greenstein does not disclose such an automated procedure or such immediate processing. Greenstein is a research article disclosing various test results.

Claims 5 and 6 are dependent on claim 1 and are also submitted to be allowable for at least the same reasons.

Claim 7, as amended specifies:

7. An apparatus for performing a medical test associated with glaucoma comprising
 - a computer processor;
 - a visual stimulus generating device for presenting visual stimuli to a patient;
 - a visual evoked potential recording and measuring device;

a computer monitor; and
a computer memory; wherein
the computer processor is programmed by computer software residing in
the computer memory to:
display a set of visual stimuli on said visual stimulus generating
device for observation by a patient;
control said recording and measuring device to record a plurality of
visual evoked potential signals in response to said set of visual stimuli
detected from one or more electrodes attached to the patient's scalp;
perform digital signal processing on the plurality of visual evoked
potential signals recorded; and
display an indication of whether there is a high or low likelihood of
glaucoma on said computer monitor based on said digital signal
processing.

Greenstein does not disclose a computer processor programmed to display a set of visual stimuli, control a recording and measuring device to record visual evoked potential signals, perform digital signal processing, and display an indication of whether there is a high or low likelihood of glaucoma. In Greenstein various tests are performed, but there is no indication that a computer processor was programmed to perform the tests. As the examiner notes, and as previously indicated, Greenstein does not disclose displaying an indication of whether there is a high or low likelihood of glaucoma. Claim 7 is submitted to be allowable for at least the foregoing reasons.

Claim 8 is dependent on claim 7 and is submitted to be allowable for at least that reason. Claim 9 is dependent on claim 7. Claim 9, as amended, specifies that the set of visual stimuli "is comprised of two patterns, an isolated check pattern and a uniform field pattern, displayed alternately in a periodic manner at a frequency of about twelve Hertz." Greenstein indicated that there was no difference between values for control subjects and glaucoma suspects other than at 15 Hz. (Greenstein, pg. 1906, column 2, end of first paragraph). Claim 9 is submitted to be allowable.

Claim 10 is dependent on claim 7. Claim 10 also specifies an "analog to digital converter

that converts said amplified visual evoked potential signals to digital signals" wherein "the analog to digital converter has a digital sampling rate that is controlled by said computer processor". Greenstein does not disclose such an analog to digital converter. Claim 10 is submitted to be allowable.

Claim 11 is also dependent on claim 7. Claim 11 also specifies "comparing said signal-to-noise ratio with a preset critical value; and determining if the likelihood of glaucoma is high or low based on said comparison". Greenstein does not specify a preset critical value. Claim 11 is submitted to be allowable. Claim 12 is dependent on 11 and is also submitted to be allowable.

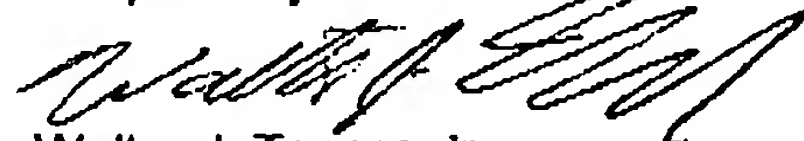
III. New Claims 13-20

Claims 13-20 each have at least a combination of limitations which are not shown by the prior art and are submitted to be allowable.

IV. Conclusion

Claims 1-20 are respectfully submitted to be in a condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. A credit card charge form is enclosed for extra claims fees of \$100.00 for one extra independent claim over three.

Respectfully submitted,



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